

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner rejects claims 1-3 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,553,130 to Lemelson et al. (hereinafter "Lemelson") in view of U.S. Patent No. 5,892,855 to Kakinami et al. (hereinafter "Kakinami"). Additionally, the Examiner rejects claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Lemelson in view of Kakinami and further in view of U.S. Patent No. 5,680,123 to Lee (hereinafter "Lee"). Furthermore, the Examiner rejects claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Lemelson in view of Kakinami and Lee and further in view of U.S. Patent No. 5,657,246 to Hogan et al. (hereinafter "Hogan"). Still further, the Examiner rejects claims 8, 10-14, and 16-21 under 35 U.S.C. § 103(a) as being unpatentable over Lemelson in view of Kakinami and further in view of U.S. Patent No. 5,761,326 to Brady et al. (hereinafter "Brady"). Lastly, the Examiner rejects claims 9 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Lemelson in view of Kakinami and Brady and further in view of Lee.

In response, Applicants respectfully traverse the Examiner's rejections under 35 U.S.C. § 103(a) for at least the reasons set forth below.

Independent claims 1, 14, and 17, all recite an "apparatus for detecting an approaching emergency/law enforcement vehicle." Applicants respectfully submit that none of the cited references teach or suggest such a feature. Lemelson, Kakinami, and Lee all teach vehicles equipped with cameras for detecting the presence of objects (including other vehicles) but do not teach or suggest distinguishing between certain types of vehicles, and certainly not an emergency/law enforcement vehicle.

With regard to Brady, the same is directed a roadside system for classification and tracking of vehicles. Firstly, although Brady discloses classification and tracking of different types of vehicles, including trucks and cars, there is no teaching or suggestion that it can be used to specifically classify an emergency/law enforcement vehicle.

Secondly, Applicants respectfully submit that Brady is from a non-analogous art and should be withdrawn as a reference against the claims of the present application. Brady is neither directed to the same field of endeavor nor is it directed to solving the same objectives as the present invention. The present invention is concerned with vehicle safety and specifically with identification of emergency/law enforcement vehicles while driving, while Brady is directed to a roadside system for classifying and tracking vehicles for the purpose of traffic management a roadside system for classifying and tracking vehicles for the purpose of traffic management.

Thirdly, there is no motivation or suggestion to combine Brady with any of Lemelson, Kakinami, or Lee. As discussed above, the systems of Lemelson, Kakinami, and Lee are in-vehicle systems while Brady is concerned with a roadside system. Furthermore, Lemelson, Kakinami, and Lee are directed to systems for detecting objects from a vehicle to lessen the likelihood of collisions and the like between the vehicle and the detected objects while Brady is directed to a roadside system for classifying and tracking vehicles for the purpose of traffic management. Therefore, those of ordinary skill in the art at the time of the invention would not have been motivated to combine the in-vehicle systems of Lemelson, Kakinami, and Lee with the roadside system of Brady.

With regard to Hogan, the same is directed to methods and apparatus for a videoconference. Obviously, Hogan does not teach or suggest classifying an emergency/law enforcement vehicle.

Secondly, Applicants respectfully submit that Hogan is from a non-analogous art and should be withdrawn as a reference against the claims of the present application. Hogan is neither directed to the same field of endeavor nor is it directed to solving the same objectives as the present invention. The present invention is concerned with vehicle safety and specifically with identification of emergency/law enforcement vehicles while driving, while Hogan is directed to providing a graphical interface for controlling a videoconference.

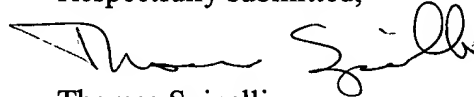
Thirdly, there is no motivation or suggestion to combine Hogan with any of Lemelson, Kakinami, or Lee. As discussed above, the systems of Lemelson, Kakinami, and Lee are in-vehicle systems for identifying objects while Hogan is concerned with a videoconference system. Therefore, those of ordinary skill in the art at the time of the invention would not have been motivated to combine the in-vehicle systems of Lemelson, Kakinami, and Lee with the videoconference system of Hogan.

Independent claims 1, 14, and 17 are not rendered obvious by the cited references because none of the Lemelson, Kakinami, Lee, Brady, or Hogan patents, whether taken alone or in combination, teach or suggest an apparatus for detecting an approaching emergency/law enforcement vehicle. Accordingly, claims 1, 14, and 17 patentably distinguish over the prior art and are allowable. Claims 2-13, 16, 16, and 18-21, being dependent upon claims 1, 14, and 17, are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejections of claims 1-21 under 35 U.S.C. § 103(a).

Furthermore, as discussed above, Applicants respectfully submit that the combination of references cited by the Examiner lack a motivation or suggestion for their combination. Thus, the rejections of claims 1-21 under 35 U.S.C. § 103(a) are improper and should be withdrawn.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', written over a horizontal line.

Thomas Spinelli
Registration No. 39,533

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343
TS:cm